

United States District Court
District of Massachusetts

FILED
CLERKS OFFICE

Civil Action No. 04RGS12721

2005 MAR 23 P 12:35

Randolph E. Green,
Plaintiff

U.S. DISTRICT COURT
DISTRICT OF MASS.

Versus

Thomas J. May, President
Boston Edison Company DBA
Nstar Electric Corporation
Defendants, Etal

RECEIVED

FILED

3/22/05

**Notice of appeal to the
Three (3) Judge panel court of appeal**

Now come the plaintiff I Randolph E. Green and hereby move and expressly give notice of appeal to the three judge panel court of appeal, herein after the court appealing the United States Federal District Court unsigned invalid court order and memorandum and order on defendants motion to dismiss which is null and void and is an erroneous error of law which has no legal standing.

Plaintiff is appealing the U.S. Federal Court Judge memorandum and order in defendants motion to dismiss on grounds that plaintiff claims in plaintiffs complaint present a meritorious question of law and substantial issues and questions of law. Pursuant to title 15 usca sec. 1692 E and sec 2:17 and sec 2:18 of the act and others which are an act of congress.

Plaintiff is appealing the court denial and violation of constitutional substantive and procedural due process rights and the equal protection rights guaranteed to plaintiff by the due process clause and the equal protection clause by the 5th and 14th amendment to the constitution of the United States. This case deserves judicial review and investigation and discussion as a matter of constitutional federal law.

Case Law Cited See
St. Nicolas Russian Benefit Soc Inc.
V. Yaselko, 279 Mass. 81,82 1932

Plaintiff is appealing to the appeal court three Judge panel court presenting a question of law whether every unsigned documents date 1/15/2005 which calls for a signature to be signed by the attorney acting for the defendants or the defendants themselves whether is null and void and invalid and has no legal standing in this court as a matter of law. Plaintiff is requesting a ruling of law

Plaintiff is requesting of law

Plaintiff is appealing to the us court of appeal court three judge panel court for a ruling whether the unsigned court order dated 2/25/2005 docketed and mailed to me the plaintiff whether the us Federal District Court Judges court order is null and void and is invalid as a matter of constitutional law and has no standing.

See Case Law with reference to motions to dismiss

Question before court on motion to dismiss, see W.D.Pa.1994, 868 F.Supp. 764.

Complaint should not be dismissed, see Francis, N.D.Ill.1994, 867 F.Supp 767.

In deciding a motion to dismiss, see Rubin, P.C., S.D.N.Y.1994, 863 F.Supp. 144.

Complaint must not be dismissed, see In re Southeast Banking Corp., S.D. Fla.1994, 855 F.Supp 353. affirmed 69 F.3d 1539.

Plaintiff is appealing the US Federal court judge statement that the chief justice of the Brookline court named Thomas J. May and Thomas J. May president of Boston Edison Company and Nstar Electric corporation. They are not however, the same person. This was to be proven to the court by the plaintiff or the defendant in the discovery period documents and not done by the federal court judge.

Plaintiff is appealing that the US federal district court judge has prejudiced this case civil action NO. 0412721-RGS by making a decision statement that president of Nstar and the first justice of Brookline district court named Thomas J. May. They are not however the same person before and without the plaintiff and the defendant bearing the burden of proof of that said matter to the court.

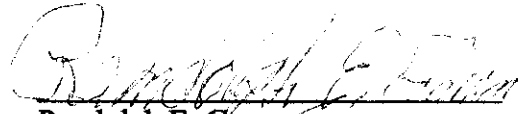
Plaintiff is appealing the defendants unsigned null and void and invalid memorandum of law. And defendants unsigned null and void and invalid motion to dismiss, and the defendants unsigned null and void and invalid answers and counter claim, and the defendants unsigned null and void and invalid affidavit in support of defendants motions to dismiss.

Plaintiff is appealing the court judge circumvented plaintiff claims that are alleged in plaintiffs complaint by going around and by passing the state of fact that is contained in plaintiffs complaint.

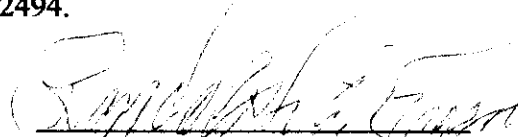
Plaintiff is appealing the US district court judge failure to have issued a scheduling order which sets forth a timetable with deadlines the litigation must follow.

Plaintiff is appealing the US federal district court judges case law cases cited in the court judges memorandum shows not one case reference to plaintiff claims that stated in

plaintiff complaint claims which states that the defendant etal violated plaintiffs due process rights and plaintiffs equal protection rights pursuant to title 15 USCA section 1692E, and sec. 2:17 and sec. 2:18 of the act known as the Federal Fair Debt Collection practice act.


Randolph E. Green
8 Woodbine Street
Roxbury, MA 02119
617.445.6488

This is to certify that I, Plaintiff Randolph E. Green, have hereby given notice to the Defendant by sending a copy of this said document thereto by Regular U. S. Mail this 21st day of March 2005 addressed to Fanger, Palmer, Sharaf LLP – 144 Gould Street, Suite 14B – Needham, MA 02494.


Randolph E. Green